

**A RESOLUTION OF INTENTION TO CREATE A RURAL  
IMPROVEMENT DISTRICT FOR THE CAVE GULCH AREA**

WHEREAS, the Cave Gulch watershed has experienced flash floods after the fires of 2000;  
and

WHEREAS, Federal, State and local agencies, together with Lewis and Clark County and the  
landowners have worked on a flood mitigation project for the Cave Gulch Area; and

WHEREAS, the Board of County Commissioners has entered into an agreement with the  
landowners to help with funding and as part of that agreement, the landowners have agreed to pay a  
local match of funds for the project; and

WHEREAS, the landowners have also agreed that the creation of a Rural Improvement  
District is an appropriate mechanism to collect said matching funds; and

WHEREAS, the Board of County Commissioners has the authority to propose Rural  
Improvement Districts for the purpose of funding improvements that protect from overflow or injury  
by water, pursuant to Section 7-12-2101, et. seq., MCA.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of County  
Commissioners that it does hereby establish its intention to create the Cave Gulch Rural Improvement  
District No. 2004-5 for the purpose of equitably funding improvements for flood mitigation within  
said district, and that such district shall be administered by the County. The County will serve only to  
coordinate the necessary work, collect the assessments, and disburse payments for the district; it is  
anticipated that the improvements to be made would be performed by a private contractor.

BE IT FURTHER RESOLVED that said improvement district will include those parcels of land  
shown on Exhibit "A" and listed on Exhibit "B".

BE IT FURTHER RESOLVED that the engineer for the improvements is Barry Damschen  
Consulting, LLC.

BE IT FURTHER RESOLVED that the improvements shall include the construction of a flood  
channel through the area, earthwork and road improvements, site reclamation, concrete flood wall  
construction and other minor work items.

BE IT FURTHER RESOLVED that the estimated annual costs for said improvements are  
\$3,032.81 for a period of ten (10) years. Each lot on the list shall benefit equally and shall be assessed  
a flat fee of approximately \$233.29 annually for said improvements. All funds collected for the  
improvement district shall be spent solely for the flood mitigation activities within the proposed  
district.

BE IT FURTHER RESOLVED that a district for maintenance of the improvements shall be  
established, and that the boundaries of said maintenance district and the method of assessment for such  
maintenance shall be the same as the previously described improvement district.


BE IT FURTHER RESOLVED that the maintenance of the improvements shall include cleaning of culverts and debris deposited in the channel, mowing the vegetation, controlling weeds and any other maintenance necessary to preserve the flood mitigation channel.

BE IT FURTHER RESOLVED that the estimated annual costs for said initial maintenance are to be determined and funded at a later date. Each lot shall be assessed a flat fee for said maintenance, once the amount is established and a rate hearing will be held when the costs are determined. All funds collected for the maintenance district shall be spent solely for the maintenance activities within the proposed district.

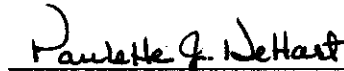
BE IT FURTHER RESOLVED that once funded, the maintenance district shall remain in effect in perpetuity or until such action by the Board of County Commissioners otherwise dissolves the district.

DATED this 29 day of June, 2004.

BOARD OF COUNTY COMMISSIONERS  
LEWIS AND CLARK COUNTY

  
Michael A. Murray, Chairman

ATTEST:

  
Paulette J. DeHart, Clerk of Board

Attachments: Exhibit "A"  
Exhibit "B"

File: CaveGulchRIDIntentRes



Lewis & Clark County

COUNTY

**3067156**

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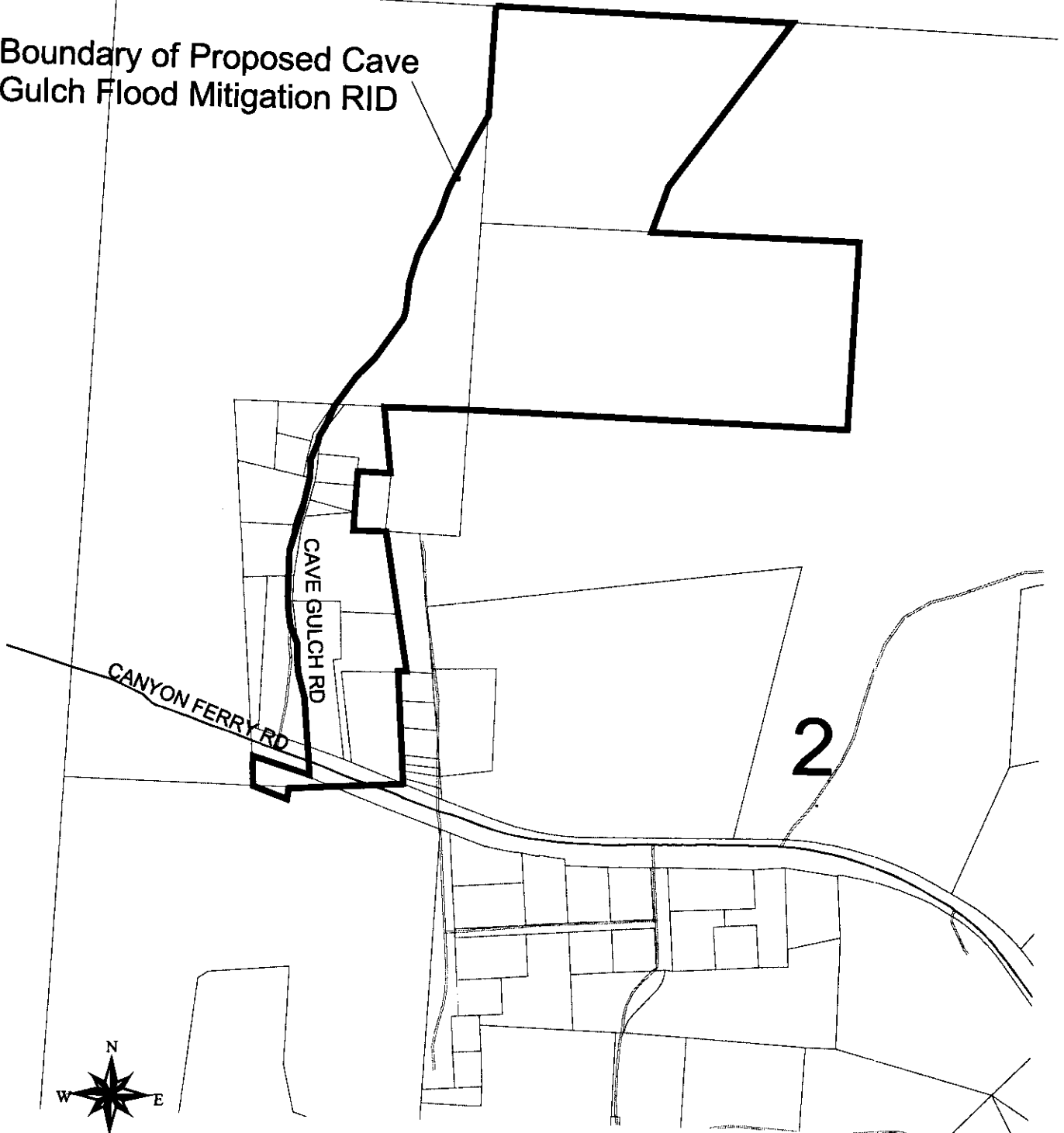
EXHIBIT "A"



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Boundary of Proposed Cave  
Gulch Flood Mitigation RID



# CAVE GULCH RID PROPERTY OWNER LIST

GEOCODE	PROPERTY OWNER
189002202010000	RAYMOND MARK
189002204010000	GOULD CLARE M O'MALLEY
189002204050000	BENDER THOMAS J SR & CECELIA F
189002204300000	OLESON JERRY M
189002204320001	RAYMOND VERN & TERRY
189002204340000	RAYMOND VERN & TERRY
189002204400000	RAYMOND VERN & TERRY
189002204420000	RAYMOND VERN & TERRY
189002204440000	FISCHER MATTHEW J
189002204800000	WALUND LORI
189002205010000	MOSBY STEVEN W & JERI C & LAMB LARRY E &
189002301400000	RAYMOND MARK
189002202020000	WIXSTEN, MOSBY, FISCHER, FRANKLIN

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## EXHIBIT "B"

LEGAL
TR IN SWNE .47 AC
CAVE BAY CANYON FERRY 1.63 AC IN SW4NW4
TR IN SESWNW 1.40 AC
A TRACT IN E2SW4NW4 PER COS #367424
2.32 AC SEC 2 T ION R 1W
.12 AC IN 021001
TR IN E2SWNW .28AC
TR SWNW .328 AC
TR IN SWNW
TR B PER C/S #453928/E
IN NENW TRACT A-1 PER COS 579592/B
TR IN NWSW .07 AC
GVT LTS 4 & 5 -- PT OF LAND EXCHANGE W/BLM

RID ASSESSMENT IMPROVEMENT	ASSESSOR CODE
\$233.29	000014476
\$233.29	000014409
\$233.29	000023284
\$233.29	000022875
\$233.29	000022879
\$233.29	000029940
\$233.29	000024402
\$233.29	000014136
\$233.29	000014227
\$233.29	000026333
\$233.29	000014133
\$233.29	000014018
\$3,032.81	



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